

## REMARKS

In the aforementioned Office Action, claims 1-38 were examined and rejected. New claim 39 has been added and no new matter is introduced by the addition of new claim 39. In view of the following remarks and amendments, Applicant respectfully requests reconsideration of the application.

### Response to Arguments

In paragraphs 1-4 (pages 2-4) of the Office Action, the Examiner asserts that the Applicant's arguments are not persuasive because the elements Applicant maintains are not found in the cited references are present. Applicant disagrees. However, in order to expedite prosecution of the present application, Applicant presents amendments to the claims. Applicant reserves the right to reintroduce the claims in their original form in a continuation application.

### Rejection Under 35 U.S.C. §102

In paragraph 5 and on pages 4-11, claims 1-37 were rejected under 35 U.S.C. §102 as being anticipated by *Ginter* (USPN 6,253,193). Applicant respectfully traverses.

*Ginter does not contemplate having one or more sets of encrypted security information in a header*

Amended claim 1 recites, in part, "a client module configured to generate a header comprising one or more sets of encrypted security information as to who and how a file including the electronic data can be accessed, and configured to generate an encrypted data portion comprising the file encrypted with one or more file keys according to a predetermined cipher scheme." In contrast, *Ginter* does not contemplate the use of a header comprising one or more sets of encrypted security information which contemplates who and how a file can be accessed. Col. 128, ln. 25-40 of *Ginter* refers to "a logical object structure which includes a 'private body'

containing or referencing a set of methods (i.e., programs or procedures) that control use and distribution of the object.” This *private body is located outside of both a “public (or unencrypted) header 802 that identifies the object and may also identify one or more owners of rights in the object...” or a “private (or encrypted) header 804”* (Col. 128, ln. 10-20).

*Ginter* clearly also fails to contemplate “wherein the header is coupled to the encrypted data portion to generate a secured file, each set of the one or more sets of encrypted security information associated with a designated group of users.” While the private header may include a part or all of the information in the public header and may include additional data for validating and identifying the object 300, the validation of the object is not the same as validation of a group of users that is designated to access a set of the one or more sets of encrypted security information (i.e., group trying to access the data). In fact, *Ginter* distinguishes the two by reciting “data for validating and identifying the object 300 when a user attempts to register as a user of the object” (col. 128, ln. 17-19).

Furthermore, “information identifying one or more rights owners and/or distributors of the object” does not refer to the designated group of users attempting to access the object. Instead, rights owners and distributors are exactly as they are termed – “owners of rights in the object and... distributors of the object” (col. 128, ln. 14-15). *Ginter* distinguishes right owners and distributors from a user in this paragraph (col. 128, ln. 11-24) by explicitly using the three terms to describe the different types of individuals that are associated with the object – “right owners,” “distributors,” and “a user.”

The reference to “any of *said* additional validating and identifying data” (col. 128, ln. 23-24), refers back to “the additional data for validating and identifying the object 300” (col. 128, ln. 17-18). As previously discussed, the validation of the object 300 is not the same as validation of a user.

Finally, *Ginter* fails to contemplate “a server module configured to obtain the file key from the one or more file keys associated with the designated group of users

and to decrypt only a set of the one or more sets of encrypted security information associated with the designated group of users to allow access by the designated group of users.” Not only does *Ginter* fail to contemplate “each set of the one or more sets of encrypted security information” being “associated with a designated group of users”, as set forth, in part, in amended claim 1, but nowhere in *Ginter* is decryption of only a set of the one or more sets of encrypted security information taught or suggested.

Since *Ginter* fails to contemplate the use of a header comprising security information which contemplates who and how a file can be accessed, *Ginter* certainly cannot contemplate “a client module configured to generate a header comprising one or more sets of encrypted security information as to who and how a file including the electronic data can be accessed.” Instead, *Ginter* teaches that “user services” can create and authenticate a user (see col. 123, lines 35-43).

Moreover, nowhere in *Ginter* can a teaching or suggestion of “wherein the header is coupled to the encrypted data portion to generate a secured file, each set of the one or more sets of encrypted security information associated with a designated group of users; and a server module configured to obtain the file key from the one or more file keys associated with the designated group of users and to decrypt only a set of the one or more sets of encrypted security information associated with the designated group of users to allow access by the designated group of users,” as set forth in amended claim 1, be found. Therefore claim 1 is not anticipated by *Ginter*.

Additionally, because claims 2-16 depend either directly or indirectly from claim 1, these claims are not anticipated for the same reasons as claim 1.

Claims 17-38 include similar amendments and should be allowable for at least the reasons discussed with respect to claims 1-16. New claim 39 has been added. No new matter is introduced by the addition of new claim 39.

Rejection Under 35 U.S.C. §103

On pages 12-13 of the Office Action, claim 38 was rejected as being unpatentable over *Ginter* in view of *Folmsbee* (USPN 6,308,256). As discussed above with reference to both claims 1 and 33, *Ginter* does not contemplate having a header comprising one or more sets of encrypted security information nor does *Ginter* teach the other subject matter set forth in amended claim 1. The addition of *Folmsbee* does not cure the deficiencies of *Ginter*. As such, claim 38, which depends from claim 33, is not obvious over *Ginter* in view of *Folmsbee*.

Conclusion

Based on the above remarks, Applicant believes that the rejections in the Office Action of June 28, 2006 are fully overcome, and that the application is in condition for allowance. If the Examiner has questions regarding the case, the Examiner is invited to contact Applicant's undersigned representative at the number given below.

Respectfully submitted,

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